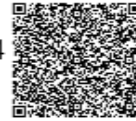


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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-54701-2025

Date of Decision: 24.12.2025

Sugreev Kumar @ Sugriv Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. Karandeep Singh, Advocate
for the petitioner.

Mr. Gautam Thapar, Sr. DAG, Punjab.

AARADHNA SAWHNEY, J. (ORAL)

1. Petitioner, an accused in case FIR No.114 dated 19.08.2025 registered against him, under Sections 15/29/61 of the NDPS Act, 1985, at Police Station Bahawala, District Fazilka, has filed the first petition for grant of bail under Section 482 of BNSS.

2. Relevant facts as emerging from documents on record be noticed hereinbelow:-

“On 19.08.2025, police team headed by SI, Amrik Sing, SI, CIA-2-cum-Narcotics Cell, Abohar along with other police officials was on patrolling duty in the official vehicle. When they reached village Khairpur pass, they saw a white coloured Scorpio bearing registration No.HR-25-J-8741 coming from the opposite direction, which was being driven at high speed. On seeing the police vehicle from a distance, driver of the Scorpio car turned towards village Khairpur. On account of suspicion having arisen police team followed the Scorpio vehicle and after some time overtook them. The driver of the vehicle was signalled to stop,

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who however, along with other occupants jumped out and tried to run away. Due to sharp reflexes of police officials, they were able to apprehend one person, whereas two others managed to escape. The person, who was caught at the site introduced himself as Vikram S/o Devil Lal R/o Khairpur, as also mentioned that vehicle was being driven by Sugreev Kumar S/o Subhash R/o 6BD, Tehsil Khajuwala, District Bikaner. From the middle seat of the car a white coloured plastic bag was found, which when opened contained crushed poppy-seeds. The same was taken into possession. When weighed was found to be 25 Kg. 400 grams. Formal case vide FIR No.114 dated 19.08.2025, u/s 15/29/61 of the NDPS Act, 1985, at Police Station Bahawala, District Fazilka, was registered. The contraband was sealed. The same along with the vehicle were taken into possession and recovery proceedings were video-graphed.

3. Apprehending his arrest, petitioner-accused, moved an application for grant of pre-arrest bail before the Ld. Judge, Special Court, Fazilka. The same was dismissed vide order dated 17.09.2025. Aggrieved of which, the present petition has been filed.

4. Learned counsel for the petitioner contends that petitioner has been falsely implicated in the present case. He was not named in the FIR. His name cropped up in the disclosure statement of one Vikram, who was allegedly caught red handed along with the car Scorpio bearing No.HR-25-J-8741 from where 25 Kg. 400 grams poppy-husk was recovered. The said disclosure statement in the absence of incriminating material, is not admissible in evidence. Continuing further, learned counsel contends that though the Scorpio car is registered in the name of the petitioner but on the date of occurrence the same had been borrowed by co-accused Gobind Ram on the pretext that he wanted to visit his native place. Thus, as per learned counsel, petitioner was totally unaware that

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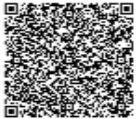


the vehicle being let out would be used for commission of the offence. Learned counsel further contends that presence of petitioner is not needed for custodial interrogation, for nothing is to be recovered from him. Prayer for allowing the petition has been made.

5. *Per contra*, while opposing the request for grant of bail, learned State counsel contends that the very fact that Scorpio car bearing registration No.HR-25-J-8741 from which 25 Kg. 400 grams poppy-husk was recovered, is registered in the name of the present petitioner clearly suggests his active involvement in the offence. Thus, the presence of the petitioner is needed for custodial interrogation to find out as to who are all involved in this racket, from where the contraband had been procured, to whom it was to be sold etc. Learned State counsel further contends that the allegations against the petitioner being serious in nature, he has failed to make out a case of exceptional depravity/hardship in his favour for grant of this extraordinary relief of pre-arrest bail. Dismissal of the petition has been prayed for.

6. Having heard the rival submissions advanced by learned counsel for the petitioner and learned State counsel, this Court expresses its inability to agree with the submissions advanced by learned counsel for the petitioner. As per the case set up by the prosecution, 25 Kg. 400 grams poppy-husk was recovered from the Scorpio car bearing registration No.HR-25-J-8741, which is admittedly registered in the name of the present petitioner. The police party, on a routine patrolling duty had signalled the vehicle to stop, when two out of the three occupants of the said vehicle were successful in running away. The person caught at the site introduced himself as Vikram and also disclosed the identification details of those, who had run away. According to co-accused the

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present petitioner along with co-accused Gobind Ram were also involved in drug trafficking. Further, from the search of the vehicle, which was seized by the police officials at the site, voter card and PAN card of the petitioner were recovered which were also taken into possession. The plea of the petitioner that he had let out his vehicle to co-accused Gobind Ram and that he was unaware that the same would be misused would be appreciated, when both parties lead evidence. The Court has also noticed that it is a case of recovery of non-commercial quantity of the contraband and as such Section 37 of the NDPS Act is not attracted. Further at the stage of deciding the application for grant of anticipatory bail, the Court has to consider the nature of offence, the role played by the petitioner, the likelihood by him influencing the investigation etc. It is equally settled that anticipatory bail is an exceptional remedy which has to be granted only when the petitioner makes a case of exceptional depravity/hardship in his favour. In the case in hand, keeping in view the fact that petitioner is the registered owner of the vehicle in question and particularly taking note of the fact that drug menace in the State of Punjab is increasing by each passing day, the same needs to be dealt with strictly.

In view of the discussion made hereinabove, petitioner has failed to make out a case for grant of extraordinary relief of pre-arrest bail. As such, present petition is dismissed.

Any observation made hereinabove is neither an expression of opinion on the case’s merits nor shall the trial Court advert to these comments.

24.12.2025
Parveen kumar

(AARADHNA SAWHNEY)
JUDGE

Whether speaking/reasoned :Yes/No
Whether reportable :Yes/No